REMARKS

Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1-4, 6-30, 32-35, 38, 39, 43-45, 52, and 53 are currently pending

- Claims 5, 31, 36, 37, 40, 41, 42, 46, 47, 48, 49, 50, 51, and 54 are canceled herein

- Claims 1, 3, and 29 are amended herein

Allowed Claims

The Office Action indicates that claims 7-9, 12-22 and 25-28 are allowable. Applicant would like to thank the Examiner for allowing claims 7-9, 12-22 and 25-28. These claims have not been amended herein, and therefore remain in condition for allowance.

Claim Objections

Claims 3-5 and 30-35 stand objected to as allegedly as being dependent upon a rejected base claim. Applicant would like to thank the Office for indicating these claims would be allowable if re-written in independent form.

Cited Documents

The following documents have been applied to reject one or more claims of the Application:

- **McGrath**: *McGrath et al.*, U.S. Patent Application Publication No. 2002/0122659

- **Iizuka '044**: *Iizuka et al.*, U.S. Patent No. 5,845,044

- **Kimura**: *Kimura et al.*, U.S. Patent No. 5,646,796

- **Iizuka '728**: *Iizuka et al.*, U.S. Patent No. 6,570,728

- **Oguro**: *Oguro et al.*, U.S. Patent No. 5,712,947

- **Tsujimura**: *Tsujimura et al.*, U.S. Patent No. 6,009,233

- **Okuyama**: *Okuyama et al.*, U.S. Patent No. 6,256,390

- **Debique**: *Debique et al.*, U.S. Patent Application Publication No. 2005/0030980

§ 102 Rejections

Claims 1, 2, 11, 23, 24, and 29 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by McGrath. Applicant respectfully traverses the rejection. Nevertheless, Applicant amends claim 1 to include allowable subject matter from claim 5 in order to expedite the prosecution of the application.

Independent Claim 1

Claim 1 has been amended to recite the following feature from claim 5. The office has indicated that incorporating the features of claim 5 with the features of claim 1 would result in an allowable claim.

- wherein the extracting comprises:

    determining a DVPackID from an extraction list; and

    identifying the metadata within the DV frame based on the DVPackID

The above feature contains subject matter from dependent claim 5, which the Office has deemed allowable. Accordingly, Applicant submits that McGrath does not anticipate this claim, and respectfully requests that the rejection of this claim be withdrawn.

Dependent Claims 2-4 and 6-11

Claims 2-4 and 6-11 ultimately depend from independent claim 1. As discussed above, claim 1 is not anticipated by the cited documents, and is therefore allowable over the cited documents. Therefore, claims 2-4 and 6-11 are also allowable over the cited documents of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

Independent Claim 23

Applicant submits that the Office has not shown that McGrath anticipates this claim. McGrath does not disclose the following features of this claim (with emphasis added):

- attaching the container to **a video sample of the DV data stream**

Claim 23 recites in part, "attaching the container to a video sample of the DV data stream." The Office cites McGrath as disclosing this element. (Office Action, page 3). McGrath describes a camera-recorder apparatus that include an image capture device to capture video images. (McGrath, abstract). The camera also produces and records video footage known as "metadata." The metadata will include the recording date, start/end flags or time codes, and camera status data. (McGrath, [0025]. In

McGrath, a metadata extraction module performs full metadata extraction provides additional processing to produce additional information about the content of the recorded sound and images. The output of the metadata extraction module is stored in a main storage area of the camera where it can be retrieved by an off-line editing apparatus. (McGrath, [0043]). The camera also includes a metadata processing module that analyzes the hue vectors to select an image from a shot which is representative of the overall contents from a shot. (McGrath, [0075]). The output of the metadata processing module are stored on a removeable storage unit. (McGrath, [0075]).

McGrath fails to disclose "attaching the container to a video sample of the DV data stream" due to the containers disclosed in McGrath cannot be attached "to a video sample of the DV data stream." McGrath discloses a main storage area of the camera and a removable storage unit as storing metadata. Both McGrath containers are hardware devices and are incapable of being attached "to a video sample of the DV data stream." The video samples in claims 2 and 23 are described as proceeding through the processing chain to various processing components such as a video codec and a video renderer, after which they might be displayed on a video display. (Specification, pg. 11, lines 18-20). The physical storage devices in McGrath are incapable of being attached to a video sample that might be displayed on a video display or processed in a video renderer or included in a "DV data stream." Although the storage devices in McGrath may store a video sample, they cannot attach to video sample while it is in "the DV data stream." Fig. 3 of the specification clearly shows the container 306 attached to the video sample 302 just before the video sample attached

to the container are processed in the video codec 308 and video renderer 310. Assuming a physical storage device could be attached to the video sample, the signal processing in the codec and renderer are capable of receiving a DV data stream, but are incapable of processing a DV data stream that would have a physical storage device attached to the data stream. Accordingly, attaching a physical storage device to the video sample in claim 1 would defeat the purpose of the claimed invention and render it inoperative. Consequently, Applicant submits that McGrath does not anticipate these claims, and respectfully requests that the rejection of these claims be withdrawn.

Dependent Claim 24

Claim 24 ultimately depends from independent claim 23. As discussed above, claim 23 is not anticipated by the cited documents, and is therefore allowable over the cited documents. Dependent claim 24 is also allowable over the cited documents of record for at least its dependency on an allowable base claim. Additionally, this claim may also be allowable for the additional features that it recites.

Claims 52 and 53 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Iizuka '044. Applicant respectfully traverses the rejection.

Independent Claim 52

Applicant submits that the Office has not shown that Likuza '044 anticipates this claim. Likuza '044 does not disclose the following features of this claim (with emphasis added):

- a WBMode field having data unpacked from a fourth byte of the pack

- a FocusMode field having data unpacked from a fifth byte of the pack

Claim 52 recites in part, "a WBMode field having data unpacked from a fourth byte of the pack" and "a FocusMode field having data unpacked from a fifth byte of the pack." The Office cites Likuza '044 as disclosing this element. (Office Action, page 5). Likuza '044 describes a 5-byte data structure that has a White Balance field in the fourth byte and a Focus Position field in the fifth byte, with no other fields designated in the fourth or fifth byte. (Likuza '044, Fig 8B).

Likuza '044 fails to disclose a "WBMode field [in the] fourth byte of the pack" and a "FocusMode field [in the] fifth byte of the pack." Likuza '044 clearly shows that only one field occupies the fourth byte, a White Balance field, and one field occupies the fifth byte, a Focus Position field. (Likuza '044, Fig. 8B). In contrast, Applicant is claiming a data structure that has two fields within the fourth byte, a WBmode field and a WhiteBalance field, and two fields within the fifth byte, a FocusMode field and a FocusPosition field. Likuza '044 fails to disclose the second field, specifically, the "WBMode" field in the fourth byte and the "FocusMode" field in the fifth byte. Applicant is claiming the WBMode field and the FocusMode field in addition to the White Balance field and the Focus Position field. Likuza '044 also fails to disclose the WBmode or the FocusMode fields which indicate the type of mode the camera is in during recording in addition to the white balance setting or focus position setting that is disclosed in Likuza '044. Even if the white balance and focus position fields in Likuza '044 were able to indicate the modes of the camera, Likuza '044 still fails to disclose that both the fourth and fifth bytes have two fields. Accordingly, Applicant submits that Likuza '044 does not

anticipate this claim, and respectfully requests that the rejection of this claim be withdrawn.

Independent Claim 53

Applicant submits that the Office has not shown that Likuza '044 anticipates this claim. Likuza '044 does not disclose the following features of this claim (with emphasis added):

- a VerticalPanningSpeed field having data unpacked from the second byte of the pack

- a HorizontaPanningSpeed field having data unpacked from the third byte of the pack

Claim 53 recites in part, "a VerticalPanningSpeed field having data unpacked from the second byte of the pack" and "a HorizontaPanningSpeed field having data unpacked from the third byte of the pack." The Office cites Likuza '044 as disclosing this element. (Office Action, page 6). Likuza '044 describes a 5-byte data structure that has a Vertical Panning field in the first byte and a Horizontal panning direction field and an Image Stabilizer field in the second byte. (Likuza '044, Fig 8B).

Likuza '044 fails to disclose a "VerticalPanningSpeed field [in the] second byte of the pack" and a "HorizontalPanningSpeed field [in the] third byte of the pack." Likuza '044 clearly shows that only one field all Vertical Panning data in the second byte and one field for all the horizontal panning data in the fourth byte. (Likuza '044, Fig. 8C). In contrast, Applicant is claiming a data structure that has two fields for Vertical Panning data in the second byte and two fields for Horizontal Panning data in the third byte.

Likuza '044 fails to disclose the second field in each instance above. Even if the "V Panning" field and the "H Panning" fields in Likuza '044 were able to indicate the vertical panning speed or the horizontal panning speed, Likuza '044 still fails to disclose two fields are used to store vertical panning speed and direction and two fields are used to store vertical panning speed and direction. Accordingly, Applicant submits that Likuza '044 does not anticipate this claim, and respectfully requests that the rejection of this claim be withdrawn.

Claim 38 stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Kimura. Applicant respectfully traverses the rejection.

Independent Claim 38

Applicant submits that the Office has not shown that Kimura anticipates this claim. Kimura does not disclose the following features of this claim (with emphasis added):

- **an OptionNumber field** having data unpacked **from the third byte of the pack**

Claim 38 recites in part, "an **OptionNumber field** having data unpacked from the third byte of the pack." The Office cites Kimura as disclosing this element. (Office Action, page 6). Kimura describes a 5-byte data structure that has a TDP field that indicates the total number of text packs in the text unit in the second and third bytes, a text type field in the third byte, a text code field in the fourth byte, an area number field in the fifth byte, and also a topic tag field in the fifth byte. (Kimura, Fig. 14B).

Kimura clearly fails to disclose "**an OptionNumber field** having data unpacked from the third byte of the pack" in Fig. 14B as cited by the Office. As noted above, Fig 14B shows a TDP field, a text type field, a text code field, an area number field, and a topic tag field. Kimura is lacking an "OptionNumber field." Even if one of the fields disclosed in Kimura shows the data or information that may be incorporated into the "OptionNumber" field, Kimura using five fields to disclose the data structure while the Applicant is using six fields within the data structure. Further, Kimura discloses two fields in the third byte, while Applicant is claiming three fields in the third byte. Accordingly, Applicant submits that Kimura does not anticipate this claim, and respectfully requests that the rejection of this claim be withdrawn.

Claim 39 stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Iizuka '728. Applicant respectfully traverses the rejection.

Independent Claim 39

Applicant submits that the Office has not shown that Iizuka '728 anticipates this claim. Iizuka '728 does not disclose the following features of this claim (with emphasis added):

- **a TemporaryTrue field** having data unpacked from **the fifth byte of the pack**

- **a HoldFlag field** having data unpacked from **the fifth byte of the pack**

Claim 39 recites in part, "a TemporaryTrue field having data unpacked from the fifth byte of the pack" and "a HoldFlag field having data unpacked from the fifth byte

of the pack." The Office cites Likuza '728 as disclosing this element. (Office Action, page 39). Likuza '728 describes a 5-byte data structure that has an absolute track number field in the second, third, and fourth bytes, an empty node in the first byte, a text field and a tag ID field in the fifth byte (Likuza '728, Fig. 12A).

Likuza '728 fails to disclose "a TemporaryTrue field having data unpacked from the fifth byte of the pack" and "a HoldFlag field having data unpacked from the fifth byte of the pack." Likuza '728 discloses a text field and a tag ID in the fifth byte and an absolute track number in the second, third, and fourth bytes. (Likuza '728, Fig. 12A). In contrast, Applicant is claiming "**a TemporaryTrue field** having data unpacked **from the fifth byte of the pack**" and "**a HoldFlag field** having data unpacked **from the fifth byte of the pack**." Even if Likuza '728 discloses storing the information of the TemperaryTrue data and the Holdflag data in fields assigned to the fifth byte, Applicant is claiming at least four fields in the fifth byte while Likuza '728 only discloses two fields in the fifth byte. Accordingly, Applicant submits that Likuza '728 does not anticipate this claim, and respectfully requests that the rejection of this claim be withdrawn.

Claim 45 stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Oguro. Applicant respectfully traverses the rejection.

Independent Claim 45

Applicant submits that the Office has not shown that Oguro anticipates this claim. Oguro does not disclose the following features of this claim (with emphasis added):

- **a Tens of Time Zone field** having data unpacked **from the second byte of the pack**

- **a Tens of Day field** having data unpacked **from a third byte of the pack**

- **a Tens of Month field** having data unpacked **from the fourth byte of the pack**

- **a Tens of Year field** having data unpacked **from a fifth byte of the pack**

The Office cites Oguro as disclosing these elements. (Office Action, page 8). Oguro describes a 5-byte data structure that has a daylight savings field, a thirty minute field, and a time zone field in the second byte. The fourth byte has a week field and a month field. The fifth byte has only one field, a year field.

Oguro fails to disclose "a Tens of Time Zone field [in the] second byte" by disclosing a daylight savings field, a thirty minute field, and a time zone field in the second byte. Applicant makes a distinction between a time zone field and a Tens of Time Zone field by claiming them independently within the second byte. Even if the Time Zone field in Oguro could display the information of a "Tens of Time Zone field" in the time zone field, Oguro still fails to disclose the use of four fields in the second byte by only disclosing three fields in the second byte.

Oguro also fails to disclose "**a Tens of Day field** having data unpacked **from a third byte of the pack**" by disclosing a day field within the third byte. Applicant makes a distinction between a day field and a "Tens of Day field" by claiming them independently within the third byte. Even if the day field in Oguro could display the information of the "Tens of Day" field in the day field, Oguro still fails to disclose the use of two fields in the third byte by only disclosing one field in the third byte.

Oguro also fails to disclose **"a Tens of Month field** having data unpacked **from the fourth byte of the pack"** by disclosing a week field and month field in the fourth byte. Applicant makes a distinction between a month field and a "Tens of Month" field by claiming them independently within the fourth byte. Even if the month field in Oguro could display the information of the "Tens of Month" field, Oguro still fails to disclose the use of three fields in the fourth byte by only disclosing two fields within the fourth byte.

Oguro also fails to disclose **"a Tens of Year field** having data unpacked **from a fifth byte of the pack"** by disclosing a year field in the fifth byte. Applicant makes the distinction between a year field and a "Tens of Year" field by claiming them independently within the fifth byte. Even if Oguro could display the information of the "Tens of Year" field in the year field, Oguro still fails to disclose the use of two fields in the fifth byte by only disclosing one field in the fifth byte.

Accordingly, Applicant submits that Oguro does not anticipate this claim, and respectfully requests that the rejection of this claim be withdrawn.

Claims 43 and 47 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Tsujimura. Applicant respectfully traverses the rejection.

Independent Claim 43

Applicant submits that the Office has not shown that Tsujimura anticipates this claim. Tsujimura does not disclose the following features of this claim (with emphasis added):

- **a PairBit field** having data unpacked **from the third byte of the pack**

- **a MultiLanguage field** having data unpacked **from a fourth byte of the pack**

Claim 43 recites in part, "a PairBit field having data unpacked from the third byte of the pack." The Office cites Tsujimura as disclosing this element. (Office Action, page 10). Tsujimura describes a 5-byte data structure that has a PA field in the third byte. The PA field identifies the "the type of audio mode, such as stereo or mono-audio." (Tsujimura, col. 7, lines 52-53).

Tsujimura fails to disclose a "**PairBit field [in the] third byte**" by disclosing a PA field that designates if the audio signal is in stereo mode or mono mode. The "PairBit" field is either a "1" representing an independent channel or a "0" representing a pair of channels. (Specification, pg. 43, lines 12-13). Tsujimura is cited for disclosing a PA field that represents a type of audio mode associated with the video content and not whether the content is associated with an independent channel or a pair of channels. Consequently, Tsujimura does not disclose all of the elements and features of this claim.

Claim 43 recites in part, "**a MultiLanguage field** having data unpacked **from a fourth byte of the pack**." Tsujimura describes a 5-byte data structure that includes a 50/60 field, or a field system field, and a signal type field in the fourth byte. (Tsujimura, col. 7, lines 46).

Tsujimura fails to disclose a "MutliLanguage field [in the] fourth byte" by disclosing a 50/60 field and a signal type field in the fourth byte. Tsujimura fails to disclose any type of language field within any of the five bytes of the data structure

highlighted by the Office to disclose the features of claim 43. Consequently, Tsujimura does not disclose all of the elements and features of this claim..

Accordingly, Applicant submits that Tsujimura does not anticipate this claim, and respectfully requests that the rejection of this claim be withdrawn.

Independent Claim 44

Applicant submits that the Office has not shown that Tsujimura anticipates this claim. Tsujimura does not disclose the following features of this claim (with emphasis added):

- **an InsertChannel field** having data unpacked **from the third byte of the pack**

Claim 44 recites in part, "**an InsertChannel field** having data unpacked **from the third byte of the pack**." Tsujimura describes a 5-byte data structure with a recording start field, a recording end field, and record mode field located in the third byte of the data structure. (Tsujimura, Fig. 15B). Applicant is claiming the third byte of the data structure includes a recording start field, a recording end field, and a recording mode field, and an "InsertChannel field." Tsujimura does not disclose an insert channel field in the third byte. Consequently, Tsujimura does not disclose all of the elements and features of this claim.

Conclusion

Applicant submits that all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned representative for the Applicant before issuing a subsequent Action.

Respectfully Submitted,

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